

Decision 06-04-012 April 13, 2006

**BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA**

Application of Pacific Gas and Electric Company  
To Revise Its Electric Marginal Costs, Revenue  
Allocation, and Rate Design.

(U 39 M)

Application 04-06-024  
(Filed June 17, 2004)

**OPINION GRANTING INTERVENOR COMPENSATION  
TO THE UTILITY REFORM NETWORK  
FOR SUBSTANTIAL CONTRIBUTIONS TO DECISION 05-11-005**

This decision awards The Utility Reform Network (TURN) \$121,609.95 in compensation for its substantial contributions to Decision (D.) 05-11-005. This is a reduction of \$313.00 from TURN's request of \$121,922.95. The reduction is based on an adjustment in the hourly rate for one expert who did not appear as a witness and has less experience than other representatives. This proceeding is closed.

**I. Background**

On November 8, 2002, Pacific Gas and Electric Company (PG&E or applicant) filed its formal application for a test year 2003 general rate case (GRC). A GRC is typically composed of two parts: Phase 1 to address revenue requirements, and Phase 2 to address rate design. On May 27, 2004, the Commission issued its Phase 1 decision, and directed applicant to file a separate application to address Phase 2 issues. (D.04-05-055.)

On June 17, 2004, applicant filed this application and served supporting proposed testimony. Consistent with the adopted schedule, TURN, the

Commission's Office of Ratepayer Advocates (ORA),<sup>1</sup> and other parties served proposed testimony and rebuttal testimony during early 2005.

On February 17, 2005, applicant served notice on all parties of a settlement conference. (Rule 51.1(b) of the Commission's Rules of Practice and Procedure (Rules).) On March 9, 2005, PG&E hosted the initial settlement conference. Additional settlement discussions were held in subsequent weeks by conference call.

On May 13, 2005, applicant and settling parties filed a motion asking the Commission to adopt a settlement (May 13, 2005 Settlement) resolving issues on marginal cost, revenue allocation, and limited rate design matters. On June 3, 2005, applicant and settling parties filed a motion for Commission adoption of two supplemental settlements: Supplemental Residential Settlement and Supplemental Small Light and Power Settlement. On July 8, 2005, applicant and settling parties filed a motion for Commission adoption of three additional supplemental settlements: Supplemental Light and Power Settlement, Supplemental Agricultural Settlement, and Supplemental Energy Recovery Bond Settlement.

Hearings were held on May 23, June 3, June 9, and July 12, 2005, to receive evidence and hear testimony from panels on the Settlements. On November 18, 2005, we found that the settlements met our tests for adoption and granted the motions. (D.05-11-005.) That decision resolved all issues in which TURN participated in this matter.

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<sup>1</sup> The Office of Ratepayer Advocates is now the Division of Ratepayer Advocates, effective January 1, 2006, pursuant to Senate Bill 608, amending Pub. Util. Code § 309.5.

## **II. Requirements for Awards of Compensation**

The intervenor compensation program, enacted in Pub. Util. Code §§ 1801-1812, requires California jurisdictional utilities to pay the reasonable costs of an intervenor's participation if the intervenor makes a substantial contribution to the Commission's proceedings. The statute provides that the utility may adjust its rates to collect the amount awarded from its ratepayers. (Subsequent statutory references are to the Public Utilities Code unless otherwise indicated.)

All of the following procedures and criteria must be satisfied for an intervenor to obtain a compensation award:

1. The intervenor must satisfy certain procedural requirements including the filing of a sufficient notice of intent (NOI) to claim compensation within 30 days of the prehearing conference (or in special circumstances, at other appropriate times that we specify). (§ 1804(a).)
2. The intervenor must be a customer or a participant representing consumers, customers, or subscribers of a utility subject to our jurisdiction. (§ 1802(b).)
3. The intervenor should file and serve a request for a compensation award within 60 days of our final order or decision in a hearing or proceeding. (§ 1804(c).)
4. The intervenor must demonstrate "significant financial hardship." (§§ 1802(g), 1804(b)(1).)
5. The intervenor's presentation must have made a "substantial contribution" to the proceeding, through the adoption, in whole or in part, of the intervenor's contentions or recommendations by a Commission order or decision. (§§ 1802(i), 1803(a).)
6. The claimed fees and costs are reasonable (§1801), necessary for and related to the substantial contribution (D.98-04-059), comparable to the market rates paid to others with comparable training and experience (§ 1806), and productive (D.98-04-059).

For discussion here, the procedural issues in Items 1-4 above are combined, followed by separate discussions on Items 5-6.

### **III. Procedural Issues**

The prehearing conference in this matter was held on August 20, 2004. TURN timely filed its NOI on September 20, 2004.

Section 1802(b)(1) defines a “customer as: A) a participant representing consumers, customers or subscribers of a utility; B) a representative who has been authorized by a customer; or C) a representative of a group or organization authorized pursuant to its articles of incorporation or bylaws to represent the interests of residential or small business customers. In this case, TURN asserted it is a customer as defined in paragraph C. In its NOI, TURN also asserted financial hardship.

On October 21, 2004, Administrative Law Judge (ALJ) Mattson ruled that TURN is a customer, pursuant to § 1802(b)(1)(C), and meets the financial hardship condition, pursuant to § 1804(a)(2)(B). TURN filed its request for compensation on January 20, 2006, within 60 days of D.05-11-005 being issued.<sup>2</sup> In view of the above, we find that TURN has satisfied all the procedural requirements necessary to make its request for compensation.

### **IV. Substantial Contribution**

In evaluating whether a customer made a substantial contribution to a proceeding, we look at several things. First, did the ALJ or Commission adopt one or more of the factual or legal contentions, or specific policy or procedural recommendations put forward by the customer? (See § 1802(i).) Second, if the

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<sup>2</sup> No party opposes the request.

customer's contentions or recommendations paralleled those of another party, did the customer's participation materially supplement, complement, or contribute to the presentation of the other party or to the development of a fuller record that assisted the Commission in making its decision? (See §§ 1802(i) and 1802.5.) As described in § 1802(i), the assessment of whether the customer made a substantial contribution requires the exercise of judgment.

In assessing whether the customer meets this standard, the Commission typically reviews the record, composed in part of pleadings of the customer and, in litigated matters, the hearing transcripts, and compares it to the findings, conclusions, and orders in the decision to which the customer asserts it contributed. It is then a matter of judgment as to whether the customer's presentation substantially assisted the Commission.<sup>3</sup>

Should the Commission not adopt any of the customer's recommendations, compensation may be awarded if, in the judgment of the Commission, the customer's participation substantially contributed to the decision or order. For example, if a customer provided a unique perspective that enriched the Commission's deliberations and the record, the Commission could find that the customer made a substantial contribution. With this guidance in mind, we turn to the claimed contributions TURN made to the proceeding.

TURN asserts that it was active in all aspects of this proceeding, including serving proposed direct and rebuttal testimonies of expert witnesses in March and April 2005, as well as revised testimony of one witness in June 2005, on a wide range of marginal cost, revenue allocation, and rate design issues. TURN states it actively participated in negotiations of both the May 13

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<sup>3</sup> D.98-04-059, 79 CPUC 2d, 628 at 653.

Settlement and the Supplemental Residential Settlement. TURN contends its attorneys and experts devoted substantial time and resources to the review of numerous spreadsheets with revenue allocation results from various testimonies and settlement proposals.

The Commission has awarded full compensation even where the intervenor's positions were not adopted in full, especially in proceedings with a broad scope and/or settlement of most or all issues. (See D.98-04-028, 79 CPUC 2d 570, 573-574; D.05-07-020; D.05-08-027.) Here, TURN achieved a high level of success on the issues it raised, including minimizing large rate increases proposed by PG&E and others. An overall sense of that impact can be observed by noting that two parties<sup>4</sup> proposed a residential class average bundled rate increase of 16.0%, PG&E proposed an increase of 11.9%, ORA proposed an increase of 3.0%, and TURN proposed an increase of 2.5%. The settlement reached a compromise increase of about 4.5%. (See D.05-11-005, *mimeo.*, p. 19.)

It is generally difficult to identify specific contributions to a settled outcome since each settlement term reflects a negotiated compromise between parties, and Rule 51.9 precludes disclosure of settlement discussions. Nonetheless, TURN's contributions can be assessed by comparing recommendations in TURN's testimony with PG&E's position in rebuttal, as well as the settled outcomes themselves. In support, TURN identifies several such examples, which we agree highlight TURN's extensive involvement in the negotiation and settlement process.

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<sup>4</sup> These two parties were: (a) California Manufacturers & Technology Association (CMTA) and (b) Indicated Commercial Parties (ICP).

### Marginal Cost

- While TURN served extensive testimony regarding marginal costs, all parties agreed not to address electric marginal cost issues in this proceeding. Rather, parties focused on developing a revenue allocation that all could live with, thus rendering the underlying marginal costs less critical for purposes of this proceeding.

### Revenue Allocation

- TURN testified that PG&E overstated the required California Alternative Rates for Energy (CARE) discount by \$23.7 million due to double counting the California Department of Water Resources (DWR) bond charge waiver. PG&E accepted this in rebuttal. The settlement reflected this mutually agreed-upon outcome.
- TURN argued against any changes to the CARE allocation methodology proposed by three parties<sup>5</sup> and supported by PG&E. Under the residential settlement, CARE rates were unchanged and no changes in the CARE allocation methodology were made.
- TURN proposed that DWR franchise fees be allocated based on DWR bond and power costs. In rebuttal, PG&E accepted that DWR franchise fees are incurred in proportion to DWR charges and that an allocator based on DWR revenue would be more appropriate, and PG&E modified its proposal. The settlement reflected this mutually agreed-upon outcome.
- TURN argued that a portion of the DWR franchise fees is allocable to direct access (DA) customers. In rebuttal, PG&E agreed with TURN, and modified its proposal.

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<sup>5</sup> California Large Energy Consumers Association, CMTA, ICP.

### Rate Design

- TURN argued that DWR above-market costs should not be allocated to CARE usage. Under the residential settlement, CARE rates were unchanged, and CARE usage in excess of 130% of baseline was also billed at the unchanged CARE Tier 2 rate.
- TURN argued that DWR above-market costs should not be allocated to medical baseline rates. Under the residential settlement, rates for medical baseline customers were unchanged for usage below 130% of baseline.
- PG&E and ORA proposed equal percentage changes in surcharges across all residential rates, which would have varied the surcharges. TURN proposed to retain the status quo and set the surcharges the same across all rate schedules. The settlement adopted TURN's position.

A TURN expert witness participated in the panel on June 9, 2005 (supporting the May 13 Settlement), and on July 12, 2005 (supporting the Supplemental Residential Settlement). These panels provided written and oral answers to questions from the ALJ, making further contributions to the proceeding, and the eventual adoption of each settlement. To the extent TURN's recommendations paralleled those of ORA, TURN's participation materially supplemented and complemented those of ORA, and facilitated the development of a more complete record that assisted the Commission reach its decision.

Considering the record as a whole, the entire record amply illustrates that TURN's contributions to D.05-11-005 are substantial. This includes not only the overall outcome that reduced the increase to the residential class revenue allocation to a level far lower than proposed by the utility and some other parties, but TURN's written and oral testimony, participation on panels, and adoption of settlements which reflect TURN's views on a variety of specific issues.



**V. Reasonableness of Requested Compensation**

TURN requests \$121,922.95 for its participation in this proceeding, as follows:

**TABLE 1**  
**TURN'S COMPENSATION REQUEST**

<b>Person</b>	<b>Hours</b>	<b>Rate</b>	<b>Year</b>	<b>Total</b>
<b>Attorney Fees</b>				
M. Freedman	105.5	\$270	2004-05	\$28,485.00
M. Freedman (comp)	2.75	135	2005-06	371.25
H. Goodson	105	190	2004-05	19,950.00
H. Goodson (comp)	1.5	95	2006	142.50
M. Florio	33.75	470	2004-05	15,862.50
R. Finkelstein	0.25	395	2005	98.75
R. Finkelstein (comp)	3	197.5	2006	592.50
N. Suetake (comp)	10.5	95	2006	997.50
Subtotal	262.25			\$66,500.00
<b>Expert Witness Fees</b>				
W. Marcus	3.74	195	2004	729.30
	164.15	210	2005	34,471.50
G. Schilberg	9.68	165	2005	1,597.20
J. Nahigian	45	140	2004	6,300.00
	59.25	155	2005	9,183.75
G. Ruzovan	5.1	140	2004	714.00
	13.1	155	2005	2,030.50
JBS Energy Expenses				290.40
Subtotal	300.02			\$55,316.65
<b>Other</b>				
Photocopying				85.90
LEXIS Research				2.51
Phone				17.89
Subtotal				\$106.30
<b>TOTAL</b>	<b>562.27</b>			<b>\$121,922.95</b>

Comp = compensation (i.e., time spent preparing the compensation request)

In general, the components of this request must constitute reasonable fees and costs of the customer's preparation for and participation in a proceeding that resulted in a substantial contribution. The issues we consider to determine reasonableness are discussed below.

**A. Hours and Costs Related to and Necessary for Substantial Contribution**

We first assess whether the hours claimed for the customer's efforts that resulted in substantial contributions to Commission decisions are reasonable by determining to what degree the hours and costs are related to the work performed and necessary for the substantial contributions.

TURN documented its claimed hours by presenting a daily breakdown of the hours of its attorneys, accompanied by a brief description of each activity. The hourly breakdown reasonably supports the claim for total hours. TURN's primary attorneys here were Freedman and Goodson, with assistance from Florio and Finklestein.<sup>6</sup> TURN staff attorney Suetake prepared the compensation request.

TURN reports that it only included hours devoted to this proceeding that were reasonable for the underlying tasks. No party argues otherwise. TURN's two lead attorneys seek compensation for a total of about 200 hours for their work. This is approximately equal to 2.5 full-time weeks by each attorney. This amount of time is reasonable for the second phase of a major GRC, which spanned about 78 weeks, and involved multiple tasks including review of applicant's filing; discovery; preparation of, and responses to, motions;

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<sup>6</sup> Other TURN staff attorneys (e.g., Hawiger) provided assistance, but TURN reports it excluded their time because of extremely limited participation.

preparation of testimony; participation in settlement discussions; preparation and review of settlements; evidentiary hearing; and review of draft decisions. The 33.75 hours for Florio are equal to less than one full workweek. These hours are reasonable, especially considering he also served as an expert witness.

This is similarly true for the hours of TURN's consultant, JBS Energy (JBS). JBS billed a total of about 300 hours to this job, or the equivalent of about 7.5 weeks for one expert. This is reasonable in Phase 2 of a GRC spread over about 78 weeks involving multiple tasks such as detailed review of computer models used in cost allocation and rate design, preparation of testimony, participation in settlements, and appearance at hearings.

TURN's September 20, 2004 NOI estimated about 425 hours for a cost of \$117,875, or about \$277 per hour. TURN's actual request for compensation is for 562.27 hours for a cost of \$121,922.95, or about \$217 per hour. TURN's request compares favorably with the estimate in its NOI.

## **B. Market Rate Standard**

We next take into consideration whether the claimed fees and costs are comparable to the market rates paid to experts and advocates having comparable training and experience and offering similar services.

TURN asserts that the hourly rates it seeks here for its attorneys and expert witnesses for work in calendar years prior to 2005 have already been approved by the Commission for work in those same periods. TURN further asserts that limited increases sought for some experts are consistent with Commission-established principles and approved ranges for 2005, citing D.05-11-031 in support. We largely agree, as explained below.

**Matthew Freedman**

TURN requests an hourly rate of \$270 for Freedman's work in 2004 and 2005. We previously approved this same rate in D.05-06-049 for 2004, and we find the requested rate reasonable for both years.

**Hayley Goodson**

TURN requests an hourly rate of \$190 for Goodson's work in 2004 and 2005. We previously approved this same rate in D.04-12-033 for 2004, and find the requested rate reasonable for both years.

**Michel Florio**

TURN requests an hourly rate of \$470 for Florio's work in 2004 and 2005. We previously approved this same rate in D.05-01-029 for 2004, and find the requested rate reasonable for both years.

**Nina Suetake**

TURN requests an hourly rate of \$190 for Suetake's work in 2006. Suetake is a relatively new attorney who joined TURN directly out of law school in 2004. Her work in this proceeding was limited to preparation of the request for compensation, and occurred entirely in 2006. The Commission has not yet approved an hourly rate for Suetake. TURN points out that the Commission suggests an hourly rate of \$190 for work in 2005 for a first-year attorney, citing D.05-11-031. TURN does not seek an increase from that level for her work in 2006. We find the requested rate reasonable.

**Robert Finkelstein**

TURN requests an hourly rate of \$395 for Finkelstein's work in 2005 and 2006, the same rate approved by the Commission for his work in 2004. (D.05-04-049.) We find the requested rate reasonable.

**William Marcus**

JBS billed at an hourly rate of \$195 for Marcus's work on behalf of TURN in 2004. We previously approved this same rate for 2004 in D.05-03-016, and adopt it here.

TURN seeks to increase consultant Marcus's 2005 hourly rate to \$210 (i.e., \$15 above the 2004 authorized rate). TURN states that \$210 per hour is the current normal billing rate by JBS for Marcus. TURN notes that D.05-11-031 cites Marcus as an example of an intervenor representative who "consistently requested small rate increases at rates below that of his peers," and has been paid rates that are modest for an expert with more than 20 years experience in regulatory matters. Further, TURN points out that Marcus is the firm's lead economist for all utility issues, supervising the work of five analysts, and that his rate is well below rates for other such senior experts.<sup>7</sup> The \$210 per hour rate for Marcus for 2005 is clearly within the guidelines and principles established in D.05-11-031, and we adopt that rate here.

**Gayatri Schilberg**

TURN seeks a rate of \$165 per hour for Schilberg in this proceeding for work performed in 2005. We previously approved rates for Schilberg of \$140 for 2003, and \$150 for 2004, in D.05-04-031. Schilberg's work here was billed by JBS at a rate of \$165 per hour. As with Marcus's rate, TURN submits that D.05-11-031 permits this increase in the hourly rate for Schilberg, contending it is so far below that of her peers that an increase in her 2005 authorized rate is

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<sup>7</sup> TURN cites the top range reported by utilities for 2003 and 2004 as \$315 - \$420 for in-house experts, and \$420 - \$475 for outside experts, and the range approved for intervenor experts in 2005 as \$360. (TURN Request for Compensation, January 20, 2006, page 19.)

appropriate. In further support, TURN points out that Schilberg is a Senior Economist with over 20 years experience, has advanced degrees in economics, has testified before commissions and a superior court, and has been a principal witness. TURN argues that the \$165 hourly rate is approximately half that reported for other senior experts.

We agree. The requested rate of \$165 per hour is within the guidelines and principles established in D.05-11-031, is reasonable, and we adopt it here.

**Jeff Nahigian**

TURN requests a rate of \$140 per hour for Nahigian's work in 2004. We previously approved this same rate in D.05-10-008, and adopt it here.

For 2005, TURN seeks a rate of \$155 per hour for Nahigian, asserting that JBS increased his rate for 2005 to that level. As with Marcus's rate, TURN submits that D.05-11-031 permits this increase in the hourly rate for Nahigian, contending it is so far below that of his peers that an increase in his 2005 authorized rate is appropriate. In further support, TURN points out that Nahigian is a Senior Economist with nearly 20 years' experience, has testified as an expert, and his analysis has served to provide the basis of much of the testimony of Marcus before this Commission in recent years. TURN argues that the \$155 hourly rate is below the \$235 mid-point of the range for intervenors and experts approved in D.05-11-031.<sup>8</sup>

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<sup>8</sup> TURN calculates that mid-point at \$235:  $(360+110)/2$ . TURN uses \$360 as the approved rate for intervenor experts in 2005 (see discussion above regarding Marcus) and \$110 as the low-end of the range of 2005 hourly rates for intervenors, citing D.05-11-031, page 17.

We agree. The requested rate of \$155 per hour is within the guidelines and principles established in D.05-11-031, is reasonable, and we adopt it here.

**Greg Ruzovan**

TURN states that the Commission has already approved hourly rates for Ruzovan of \$100 for work performed in 2000, and \$115 for work performed in 2001, citing D.02-04-042 and D.03-04-011, respectively. TURN seeks recovery of \$140 per hour for 2004 and \$155 per hour in 2005. In support, TURN asserts that JBS increased Ruzovan's billed rates to those levels, and that Ruzovan's qualifications and experience compare favorably with other experts that have extensive experience as an analyst but do not appear as expert witnesses themselves.

The principles and guidelines set forth in D.05-11-031 call for annual increases of 3% where an intervenor's last authorized rate was for work prior to 2004. Using that principle here results in rates for Ruzovan of \$130 for 2004, and \$135 for 2005 (rounded up to the nearest \$5), and we adopt these rates for Ruzovan in this case. This decreases TURN's request by \$313 (\$51 for 2004, and \$262 for 2005). TURN's argument for a higher rate for Ruzovan is not persuasive, as he has less experience than other JBS representatives. D.05-11-031 states (at page 17) "that for any given level of qualifications, there will always be a range of rates in the market, so this increase [based on historically low previous rates] is intended to narrow but not necessarily eliminate perceived disparities."

**C. Productivity**

D.98-04-059 directed customers to demonstrate productivity by assigning a reasonable dollar value to the benefits of their participation to ratepayers. The costs of a customer's participation should bear a reasonable relationship to the

benefits realized through its participation. This showing assists us in determining the overall reasonableness of the request.

We recognize that quantifying the benefits of participation in the case of a settlement is difficult, and TURN did not assign a dollar value to the benefits of its participation here. Nonetheless, we conclude from the specific substantial contributions by TURN set forth earlier that the benefits of TURN's participation far exceeded its award, and we find that TURN's efforts have been productive.<sup>9</sup>

#### **D. Direct Expenses**

The itemized direct expenses submitted by TURN include costs for photocopying, LEXIS research and telephone charges for a total of \$106.30. Invoices from JBS also show direct expenses for parking and travel of \$290.40, for a combined total for direct expenses of \$396.70. The cost breakdown included with the request shows the miscellaneous expenses to be commensurate with the work performed. We find these costs reasonable.

#### **VI. Award**

We award TURN \$121,609.95, as set forth in Table 1 above after adjustment downward in Ruzovan's hourly rates from \$140 to \$130, and \$155 to \$135, for 2004 and 2005, respectively. Consistent with previous Commission decisions, we order that interest be paid on the award amount (at the rate earned on prime, three-month commercial paper, as reported in Federal Reserve Statistical Release H.15) commencing on April 5, 2006, the 75<sup>th</sup> day after TURN filed its compensation request, and continuing until full payment of the award is

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<sup>9</sup> TURN should not overlook the Commission's direction, as stated in D.98-04-059, to demonstrate productivity in future requests for an award of compensation.



made. The award is to be paid to TURN by PG&E as the regulated entity in this matter.

We remind TURN that Commission staff may audit its records related to this award and that TURN must make and retain adequate accounting and other documentation to support all claims for intervenor compensation. TURN's records should identify specific issues for which it requested compensation, the actual time spent by each employee or consultant, the applicable hourly rate, fees paid to consultants, and any other costs for which compensation was claimed.

## **VII. Waiver of Comment Period**

This is an intervenor compensation matter. Accordingly, as provided by Rule 77.7(f)(6), we waive the otherwise applicable 30-day comment period for this decision.

## **VIII. Assignment of Proceeding**

Michael R. Peevey is the Assigned Commissioner, and Burton W. Mattson is the assigned ALJ in this proceeding.

## **Findings of Fact**

1. TURN has satisfied all the procedural requirements necessary to claim compensation in this proceeding.
2. TURN made substantial contributions to D.05-11-005 as described herein.
3. TURN's requested hourly rates for attorneys and experts are reasonable when compared to the market rates for persons with similar training and experience, with the exception of Ruszovan whose rate is reasonable when set based on the principles and guidelines in D.05-11-031.
4. TURN's requested related expenses are commensurate with the work performed and are reasonable.
5. The total of the reasonable compensation is \$121,609.95.

6. The appendix to this opinion summarizes today's award.

### **Conclusions of Law**

1. TURN has fulfilled the requirements of Pub. Util. Code §§ 1801-1812, which govern awards of intervenor compensation, and is entitled to intervenor compensation for its claimed compensation incurred in making substantial contributions to D.05-11-005.

2. TURN should be awarded \$121,609.95 for its contributions to D.05-11-005.

3. Per Rule 77.7(f)(6), the comment period for this compensation decision may be waived.

4. This order should be effective today so that TURN may be compensated without delay.

5. This proceeding should be closed.

### **O R D E R**

**IT IS ORDERED** that:

1. The Utility Reform Network (TURN) is awarded \$121,609.95 as compensation for its substantial contributions to Decision 05-11-005.

2. Within 30 days of the effective date of this decision, Pacific Gas and Electric Company shall pay TURN the total award. Payment of the award shall include interest at the rate earned on prime, three-month commercial paper as reported in Federal Reserve Statistical Release H.15, beginning on April 5, 2006, the 75<sup>th</sup> day after the filing date of TURN's request for compensation, and continuing until full payment is made.

3. The comment period for today's decision is waived.

4. Application 04-06-024 is closed.

This order is effective today.

Dated April 13, 2006, at San Francisco, California.

MICHAEL R. PEEVEY  
President  
GEOFFREY F. BROWN  
DIAN M. GRUENEICH  
JOHN A. BOHN  
RACHELLE B. CHONG  
Commissioners

**APPENDIX****Compensation Decision Summary Information**

<b>Compensation Decision:</b>	D0604012	<b>Modifies Decision?</b> N
<b>Contribution Decision(s):</b>	D0511005	
<b>Proceeding(s):</b>	A0406024	
<b>Author:</b>	ALJ Mattson	
<b>Payer(s):</b>	Pacific Gas and Electric Company	

**Intervenor Information**

<b>Intervenor</b>	<b>Claim Date</b>	<b>Amount Requested</b>	<b>Amount Awarded</b>	<b>Multiplier?</b>	<b>Reason Change/Disallowance</b>
The Utility Reform Network	1/20/2006	\$121,922.95	\$121,609.95	No	Hourly rate reduction

**Advocate Information**

<b>First Name</b>	<b>Last Name</b>	<b>Type</b>	<b>Intervenor</b>	<b>Hourly Fee Requested</b>	<b>Year Hourly Fee Requested</b>	<b>Hourly Fee Adopted</b>
Matthew	Freedman	Attorney	The Utility Reform Network	270	2004	270
Matthew	Freedman	Attorney	The Utility Reform Network	270	2005	270
Hayley	Goodson	Attorney	The Utility Reform Network	190	2004	190
Hayley	Goodson	Attorney	The Utility Reform Network	190	2005	190
Michel	Florio	Attorney & Policy Expert	The Utility Reform Network	470	2004	470
Michel	Florio	Attorney & Policy Expert	The Utility Reform Network	470	2005	470
Nina	Suetake	Attorney	The Utility Reform Network	190	2006	190
Robert	Finkelstein	Attorney	The Utility Reform Network	395	2005	395
Robert	Finkelstein	Attorney	The Utility Reform Network	395	2006	395
William	Marcus	Economist	The Utility Reform Network	195	2004	195
William	Marcus	Economist	The Utility Reform Network	210	2005	210
Gayatri	Schilberg	Economist	The Utility Reform Network	165	2005	165
Jeff	Nahigian	Economist	The Utility Reform Network	140	2004	140
Jeff	Nahigian	Economist	The Utility Reform Network	155	2005	155
Greg	Ruszovan	Computer Modeling	The Utility Reform Network	140	2004	130
Greg	Ruszovan	Computer Modeling	The Utility Reform Network	155	2005	135

**(END OF APPENDIX)**